

**REPORT OF THE AUDIT OF THE  
MARTIN COUNTY  
CLERK**

**For The Year Ended  
December 31, 2002**

**EDWARD B. HATCHETT, JR.  
AUDITOR OF PUBLIC ACCOUNTS  
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EDWARD B. HATCHETT, JR.  
AUDITOR OF PUBLIC ACCOUNTS

To the People of Kentucky  
Honorable Paul E. Patton, Governor  
Gordon C. Duke, Secretary  
Finance and Administration Cabinet  
Dana Mayton, Secretary, Revenue Cabinet  
Honorable Kelly Callahan, Martin County Judge/Executive  
Honorable Carol Sue Mills, Martin County Clerk  
Members of the Martin County Fiscal Court

The enclosed report prepared by Morgan-Franklin, LLC, Certified Public Accountants, presents the statement of receipts, disbursements, and excess fees of the County Clerk of Martin County, Kentucky, for the year ended December 31, 2002.

We engaged Morgan-Franklin, LLC, to perform the financial audit of this statement. We worked closely with the firm during our report review process; Morgan-Franklin, LLC, evaluated the Martin County Clerk's internal controls and compliance with applicable laws and regulations.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ed Hatchett".

Edward B. Hatchett, Jr.  
Auditor of Public Accounts

Enclosure





## **EXECUTIVE SUMMARY**

### **AUDIT EXAMINATION OF THE MARTIN COUNTY CLERK**

**For The Year Ended  
December 31, 2002**

Morgan-Franklin, LLC, has completed the Martin County Clerk's audit for the year ended December 31, 2002. We have issued an unqualified opinion on the financial statement taken as a whole. Based upon the audit work performed, the financial statement is presented fairly in all material respects.

#### **Financial Condition:**

Excess fees decreased by \$1,888 from the prior calendar year, resulting in excess fees of \$6,741 as of December 31, 2002. Revenues increased by \$54,530 from the prior year and disbursements increased by \$56,418.

#### **Deposits:**

The Clerk's deposits were insured and collateralized by bank securities or bonds.



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***Morgan-Franklin, LLC  
Certified Public Accountants  
PO Box 428  
513 Main Street  
West Liberty, Kentucky 41472***

To the People of Kentucky  
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**Independent Auditor's Report**

We have audited the accompanying statement of receipts, disbursements, and excess fees of the County Clerk of Martin County, Kentucky, for the year ended December 31, 2002. This financial statement is the responsibility of the County Clerk. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the County Clerk's office prepares the financial statement on a prescribed basis of accounting that demonstrates compliance with the modified cash basis and laws of Kentucky, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the receipts, disbursements, and excess fees of the County Clerk for the year ended December 31, 2002, in conformity with the modified cash basis of accounting.

To the People of Kentucky  
Honorable Paul E. Patton, Governor  
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In accordance with Government Auditing Standards, we have also issued our report dated August 15, 2003, on our consideration of the County Clerk's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grants. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be read in conjunction with this report in considering the results of our audit.

Respectfully submitted,

A handwritten signature in black ink that reads "Morgan - Franklin, LLC". The script is cursive and fluid.

Morgan-Franklin, LLC

Audit fieldwork completed -  
August 15, 2003

MARTIN COUNTY  
CAROL SUE MILLS, COUNTY CLERK  
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES

For The Year Ended December 31, 2002

Receipts

State Fees For Services		\$	7,646
Fiscal Court			3,318
Licenses and Taxes:			
Motor Vehicle-			
Licenses and Transfers	\$	261,801	
Usage Tax		994,388	
Tangible Personal Property Tax		488,477	
Licenses-			
Fish and Game		6,544	
Marriage		6,176	
Deed Transfer Tax		5,562	
Delinquent Tax		132,269	1,895,217
Fees Collected for Services:			
Recordings-			
Deeds, Easements, and Contracts	\$	6,276	
Real Estate Mortgages		4,080	
Chattel Mortgages and Financing Statements		39,350	
Powers of Attorney		456	
All Other Recordings		12,297	
Charges for Other Services-			
Candidate Filing Fees		3,140	
Copywork		14,267	79,866
Other:			
Overpayments	\$	10,890	
Miscellaneous Clerk Fees		3,084	13,974
Interest Earned			479
Total Receipts		\$	2,000,500

The accompanying notes are an integral part of this financial statement.

MARTIN COUNTY  
 CAROL SUE MILLS, COUNTY CLERK  
 STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES  
 For The Year Ended December 31, 2002  
 (Continued)

Disbursements

Payments to State:

Motor Vehicle-

Licenses and Transfers \$ 196,617

Usage Tax 959,274

Tangible Personal Property Tax 245,414

Licenses, Taxes, and Fees-

Fish and Game 6,175

Delinquent Tax 17,154

Legal Process Tax 10,644

Candidate Filing Fees 1,500 \$ 1,436,778

Payments to Fiscal Court:

Tangible Personal Property Tax \$ 63,091

Delinquent Tax 13,462

Deed Transfer Tax 5,283 81,836

Payments to Other Districts:

Tangible Personal Property Tax \$ 160,214

Delinquent Tax 66,616 226,830

Payments to Sheriff 2,397

Payments to County Attorney 19,435

Operating Disbursements and Capital Outlay:

Personnel Services-

Deputies' Salaries \$ 107,019

Contract Labor 1,662

Employee Benefits-

Clerk's Training 2,965

MARTIN COUNTY

The accompanying notes are an integral part of this financial statement.

CAROL SUE MILLS, COUNTY CLERK  
 STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES  
 For The Year Ended December 31, 2002  
 (Continued)

Operating Disbursements and Capital Outlay:  
 (Brought Forward)

Contracted Services-		
Advertising	236	
Materials and Supplies-		
Office Supplies	8,529	
Office Expense	5,722	
Other Charges-		
Conventions and Travel	3,852	
Postage	4,625	
Bank Charges	286	
Overpayments	10,996	
Refunds	7,711	
Miscellaneous	507	
Capital Outlay-		
Office Equipment	4,976	
Deed Books	1,538	\$ 160,624

Total Disbursements	\$ 1,927,900
Net Receipts	\$ 72,600
Less: Statutory Maximum	<u>62,259</u>
Excess Fees	\$ 10,341

MARTIN COUNTY  
 CAROL SUE MILLS, COUNTY CLERK

The accompanying notes are an integral part of this financial statement.

STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES  
For The Year Ended December 31, 2002  
(Continued)

Less: Expense Allowance		\$	<u>3,600</u>
Excess Fees Due County for Calendar Year 2002		\$	6,741
Payments to County Treasurer-			
January 22, 2003	\$	4,513	
February 12, 2003		943	
September 18 2003		<u>1,285</u>	<u>6,741</u>
Balance Due at Completion of Audit		\$	<u><u>0</u></u>

The accompanying notes are an integral part of this financial statement.

MARTIN COUNTY  
NOTES TO FINANCIAL STATEMENT

December 31, 2002

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of receipts over disbursements to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

The financial statement has been prepared on a modified cash basis of accounting, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. Under this basis of accounting, certain receipts and certain expenditures are recognized as a result of accrual at December 31, 2002.

The measurement focus of a fee official is upon excess fees. Remittance of excess fees is due to the County Treasurer in the subsequent year.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the County Clerk's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

Note 2. Employee Retirement System

The county officials and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a multiple-employer public retirement system that covers all eligible full-time employees. Benefit contributions and provisions are established by statute. Nonhazardous covered employees are required to contribute 5.0 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 6.41 percent for the first six months and 6.34 percent for the last six months of the calendar year.

MARTIN COUNTY  
NOTES TO FINANCIAL STATEMENT  
December 31, 2002  
(Continued)

Note 2. Employee Retirement System (Continued)

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65.

Historical trend information pertaining to CERS' progress in accumulating sufficient assets to pay benefits when due is present in the Kentucky Retirement Systems' annual financial report which is a matter of public record.

Note 3. Deposits

The County Clerk maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 64.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the County Clerk and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. These requirements were met, and as of December 31, 2002, the County Clerk's deposits were fully insured or collateralized at a 100% level with collateral of either pledged securities held by the County Clerk's agent in the County Clerk's name, or provided surety bond which named the County Clerk as beneficiary/obligee on the bond.



REPORT ON COMPLIANCE  
AND ON INTERNAL CONTROL OVER FINANCIAL  
REPORTING BASED ON AN AUDIT OF THE FINANCIAL STATEMENT  
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS



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Report On Compliance And On Internal Control  
Over Financial Reporting Based On An Audit Of The Financial  
Statement Performed In Accordance With Government Auditing Standards

We have audited the statement of receipts, disbursements, and excess fees of the Martin County Clerk for the year ended December 31, 2002, and have issued our report thereon dated August 15, 2003. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Martin County Clerk's financial statement for the year ended December 31, 2002, is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Martin County Clerk's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

Report On Compliance And On Internal Control  
Over Financial Reporting Based On An Audit Of The Financial  
Statement Performed In Accordance With Government Auditing Standards  
(Continued)

This report is intended solely for the information and use of management and is not intended to be and should not be used by anyone other than the specified party.

Respectfully submitted,

*Morgan - Franklin, LLC*

Morgan-Franklin, LLC

Audit fieldwork completed -  
August 15, 2003

